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E.O. 12958: DECL: 09/30/2026  
TAGS: [PREL](#) [KCRM](#) [PTER](#) [LE](#) [SY](#)  
SUBJECT: CHANGING GOL VIEW ON CHRONOLOGY FOR INTRODUCING  
HARIRI TRIBUNAL

Classified By: Jeffrey Feltman, Ambassador, per 1.4 (b) and (d).

¶1. (C/NF) In separate one-on-one meetings with the Ambassador on 9/30, Prime Minister Siniora and Minister of Telecommunications Marwan Hamadeh both acknowledged that their positions, and those of March 14 politicians more generally, have evolved on when to engage Lebanon's cabinet on trying to approve draft statute for the special tribunal to try suspects in the assassination of Rafiq Hariri. Minister of Justice Charles Rizk, speaking to the Ambassador by phone on 9/30, also acknowledged the shift in chronology, although he questioned whether it would work.

¶2. (C/NF) Under the previous scenario, Siniora planned to put the draft statute that would create the tribunal on the cabinet agenda only after UNSC members had, through informal consultations with UN/OLA chief Nicolas Michel (the primary UN negotiator of the statute), expressed satisfaction with the text. This way, the cabinet would work with a text that the UNSC members considered final, after Michel took the UNSC comments into account. According to the previous scenario, that UNSC blessing, even if not in the form of a resolution (which we understand is not required), would help March 14 cabinet ministers win cabinet and then parliament approval.

¶3. (C/NF) Now, however, Siniora and Hamadeh fear that, by early or mid-November, the March 14-dominated cabinet might be in a full-fledged battle for survival, as Hizballah and Aoun forces work to topple or expand the cabinet in favor of a national unity government, precisely in order to block approval of the tribunal. It will be relatively harder at that point to pass the statute in the cabinet, they calculate. Instead, the March 14 politicians want cabinet approval "in principle" now, even ahead of the UNSC consultations on the text. Then, with the approval "in principle" in their pockets, and with the National Dialogue on March having already given its blessing to the tribunal, Siniora and Hamadeh calculate that it will be (in Hamadeh's words) "next to impossible" for the cabinet to refuse to give a final approval after the UNSC consultative process, even if there are changes in the text. Moreover, Hamadeh notes, such a chronology "keeps the tribunal in the headlines" for a longer period of time, which is useful in order to keep Syria slightly off balance. (Parliamentary ratification is considered -- we hope rightly -- to be less of a problem, if the cabinet approves the statute and sends it to the chamber with a recommendation for its adoption into law.)

¶4. (C/NF) The exact timing of the cabinet approval "in principle" is up in the air. Rizk, Siniora, and UN envoy

Geir Pedersen (also speaking by phone) all told the Ambassador that Michel needs at least another week before he can provide the current text to the Lebanese. Hamadeh, citing "UN sources" (presumably Terje Roed-Larsen or his aide Fabrice Aidan), insists that Lebanon will have the new version of the text as early as Monday, 10/2. If so, the cabinet debate could occur as early as the regular session on Thursday. (Constitutionally, cabinet agendas must be drawn up 48 hours in advance. Anything needing shorter notice requires the approval of the President to be place on the agenda.)

15. (C/NF) Comment: This is an interesting switch in tactics and reveals the worry the March 14 crowd has regarding how far Aoun and Hizballah will go in November in changing the cabinet. But the chronology for approving the draft statute has always has been a chicken-or-egg issue. Whichever side approves the draft statute first -- UNSC membership or Lebanon's cabinet -- might face having to look at the text again, if the other side makes changes (as is likely, even if just of a dog-and-fire-hydrant type). The Hamadeh-Siniora approach of having the cabinet approve the text "in principle," if it works, has the advantage of keeping potentially recalcitrant members of the UNSC on board: if Lebanon's cabinet accepts the draft in principle, then UNSC members might be less inclined to oppose it. We doubt, however, that this is the last word on tactics for moving the draft statute forward. End comment.  
FELTMAN